

IN RE: PETITION FOR VARIANCE  
N/S New Section Road, 1,280' NE of  
the c/l Seneca Road  
(3906 New Section Road)  
15<sup>th</sup> Election District  
5<sup>th</sup> Council District

James Scott Davison  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 02-246-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, James Scott Davison. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot for an existing garage and shed in lieu of the minimum required 2½ feet, and from Sections 1A04.3.B.2 and 301.1 of the B.C.Z.R. to permit a side yard setback of 4 feet for a proposed addition and deck in lieu of the required 50 feet and 37 ½ feet, respectively. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were James S. Davison, property owner, Laura G. Davison, and Paul Lee, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped, waterfront lot, located on the north side of New Section Road adjacent to Seneca Creek in Bowleys Quarters. The lot is approximately 50 feet wide by 209 feet deep, and contains a gross area of 0.258 acres, more or less, zoned R.C.5. The property was recorded among the Land Records of Baltimore County on January 25, 1933 as Lot 305 of the Second Addition to Plat #2 of Bowleys Quarters. As is the case with many of the older residential subdivisions, the lot is insufficiently sized in dimension to meet current zoning regulations. However, as noted above,

ORDER RECEIVED FOR FILING  
Date 3/13/12  
By [Signature]

this lot was created well prior to the adoption of the first set of zoning regulations in 1945; thus, the requested variance relief is necessary in order to improve the property as proposed.

The property is presently improved with a one-story brick and frame dwelling, which was built in 1935, known as 3906 New Section Road. The property also contains a combination garage and shed which is located in the rear yard adjacent to New Section Road. In this case, the front yard is defined as that area between the house and the water. Mr. Davison has owned the property for approximately two years and proposes a redevelopment of same. There are three specific improvements proposed. The first is a two-story, 8' x 14' addition to the southeast corner of the existing structure. This addition will square off that portion of the house and provide additional living space. The second improvement proposed is an 8' x 16' second story addition over the existing first floor. Testimony and evidence presented indicated that an 8' x 16' addition was added to the original frame of the structure many years ago; however, that addition encompassed only one story. The Petitioner proposes adding a second floor atop that old addition. The third improvement proposed is a wrap-around porch and deck on the front of the dwelling facing the water. The deck will be 29 feet deep on the east side, and 14 feet deep on the west side, and will be a uniform width of 32 ½ feet, consistent with the width of the existing dwelling. As shown on the site plan, the existing dwelling currently maintains a 4-foot setback on the east side. Thus, variance relief is necessary in order to legitimize the existing dwelling and proceed with the proposed improvements thereto. Variance relief is also requested for the existing garage and shed structure, which is located 1 foot from the west side property line.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. The property is surely unique by virtue of its configuration and the fact that it was duly recorded prior to the adoption of the first set of zoning regulations. Moreover, it is clear that the Petitioner would suffer a practical difficulty if relief were denied. It was also indicated that the Petitioner has the support of his neighbors on both sides of the property. There is no evidence that the variance would cause detrimental impact to adjacent properties. However, in view of its location on Seneca Creek, the property is subject to the requirements of Chesapeake Bay Critical

Areas legislation. In this regard, Mr. Lee indicated that he had met several times with Keith Kelly, a representative of the Department of Environmental Protection and Resource Management (DEPRM), regarding this proposal. Mr. Kelley has reviewed the site plan and determined that same is in compliance with the regulations, provided that no new impervious surface be added. In this regard, certain portions of the existing driveway and sidewalk will be removed. The total impervious area to be removed will be equal to 409 sq.ft., the same amount of the proposed new construction. It is also to be noted that the property is subject to the flood plain regulations as set forth in the Zoning Advisory Committee (ZAC) comments submitted by Robert W. Bowling, Supervisor of the Bureau of Development Plans Review, dated February 21, 2002. Therefore, the relief requested will be granted subject to Petitioner's compliance with those recommendations and the Chesapeake Bay Critical Areas requirements noted in DEPRM's ZAC comment dated February 12, 2002, copies of which are attached hereto and made a part hereof.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and on the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of March, 2002 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot for an existing garage and shed in lieu of the minimum required 2½ feet, and from Sections 1A04.3.B.2 and 301.1 of the B.C.Z.R. to permit a side yard setback of 4 feet for an addition and proposed deck in lieu of the required 50 feet and 37 ½ feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

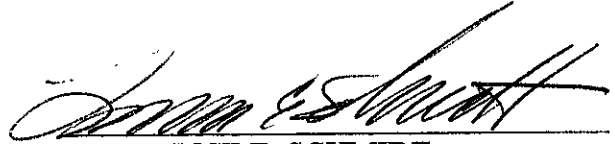
- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by DEPRM, dated February 12, 2002, and the Bureau of Development Plans Review, dated February 21, 2002, copies of which are attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date 3/13/02

By [Signature]

- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 3/3/12  
By [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

March 13, 2002

Mr. James Scott Davison  
108 Beech Hill Lane  
Towson, Maryland 21286

RE: PETITION FOR VARIANCE  
N/S New Section Road, 1,280' NE of the c/l Seneca Road  
(3906 New Section Road)  
15<sup>th</sup> Election District – 5<sup>th</sup> Council District  
James Scott Davison - Petitioner  
Case No. 02-246-A

Dear Mr. Davison:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Paul Lee, Century Engineering, Inc.  
32 West Road, Towson, Md. 21204  
Chesapeake Bay Critical Areas Commission,  
1804 West Street, Suite 100, Annapolis, Md. 21401  
DEPRM; Bureau of Development Plans Review; People's Counsel; Case File



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3906 NEW SECTION ROAD

which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400-1 OF THE BCZR TO PERMIT A SIDE YARD SETBACK OF 1' FOR AN EXISTING GARAGE & SHED IN LIEU OF REQUIRED 2½' AND SECTION 1A04.3.B.2 & 301.1 OF THE BCZR TO PERMIT A SIDE YARD SETBACK OF 4' FOR AN ADDITION TO AN EXISTING DWELLING AND A PROPOSED DECK IN LIEU OF THE REQUIRED 50' & 37½' RESPECTIVELY.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) 1. SUBJECT LOT, KNOWN AS LOT 305 IS RECORDED "SECOND ADDITION TO PLAT #2 "BOWLEY'S QUARTERS" (FILED FOR RECORDING 1-25-33) AND IS RECORDED IN PLAT BOOK 10, FOLIO 64.

THE EXISTING DWELLING WAS CONSTRUCTED AND ASSESSED IN 1935.  
ZONING CLASSIFICATION AT THAT TIME WAS RURAL.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

~~Contractor/Purchaser/Lessor~~ ENGINEER:

PAUL LEE, CENTURY ENGINEERING, INC.

Name - Type or Print

Signature

32 WEST ROAD 410-823-8070  
Address Telephone No.  
TOWSON MD 21204  
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

City

State

Zip Code

ORDER RECEIVED FOR FILING  
Date 3/13/92  
By [Signature]  
Case No. 02-246-A  
RES. 9/15/93

Legal Owner(s):

JAMES SCOTT DAVISON

Name - Type or Print

Signature

Name - Type or Print

Signature

108 BEECH HILL LANE 410-492-4013  
Address Telephone No.  
TOWSON MD 21286  
City State Zip Code

Representative to be Contacted:

PAUL LEE, CENTURY ENGINEERING, INC.

Name

32 WEST ROAD 410-823-8070  
Address Telephone No.  
TOWSON MD 21204  
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING

Reviewed By JRF Date 12/11/91

## DESCRIPTION

Project # 21193.00

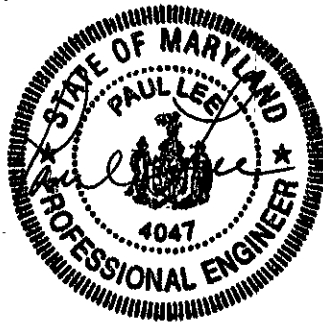
### 3906 NEW SECTION ROAD

### ELEC. DIST 15C5 - BALTIMORE COUNTY, MD

Beginning for the same at a point on the north side of New Section Road, said point also being located 1,280'± northeasterly from the center of Seneca Road, thence running with and binding on said north side 1) N 64° 08' E - 50.00'; thence leaving the north side of New Section Road 2) N 25° 52' W - 209.58' to the south side of Seneca Creek, thence running and binding on the South side; 3) S 64° 08' W - 50.00', thence leaving said south side 4) S 25° 52' E - 209.58' to intersect the north side and point of beginning on New Section Road.

Containing 10,479 S.F. of land more or less.

W:\file\Login2\Land-Dev\LD01\desc\NewSectionRd-PL-11-26-01



246

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET & FINANCE**  
**MISCELLANEOUS RECEIPT**

No. **08188**

DATE 12-11-01 ACCOUNT 001-000-0150  
 AMOUNT \$ 50.00

RECEIVED Jones Scott Dawson ITEM # 246  
 FROM: 3906 New Section Rd TAKEN BY: JRF  
 FOR: 01 - VARIANCE

DISTRIBUTION  
 WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

**PAID RECEIPT**  
 PAYMENT ACTION TIME  
 12/11/2001 12/11/2001 03:09:27  
 REC NO. 008188 CASHIER R003 LRB DRAWER 3  
 RECEIPT # 230791  
 Dept 5 528 ZBING VERIFICATION  
 CR NO. 008188 Receipt Tot 50.00  
 50.00 OK  
 Baltimore County, Maryland  
 00 OK

CASHIER'S VALIDATION



**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-246-A

3906 New Section Road  
N/S New Section Road, @ the distance of 1,280' +/- NE  
centerline Seneca Road  
15th Election District - 5th Councilmanic District

Legal Owner(s): James Scott Davison

**Variance:** to permit a side yard setback of 1 foot for an existing garage and shed in lieu of the required 2 1/2 and to permit a side yard setback of 4 feet for an addition to an existing dwelling and a proposed deck in lieu of the required 50 feet and 37 1/2 feet respectively.

**Hearing: Monday, February 25, 2002 at 10:30 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

**NOTES:** (1) Hearings are Handicapped Accessible; for special accommodations, please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, contact the Zoning Review Office at (410) 887-3391.

2/28/02 Feb. 7

0519263

# CERTIFICATE OF PUBLICATION

2/7/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/7/2002

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.:

02-246

Petitioner/Developer: DAVISONPAUL LEEDate of Hearing/Closing: 2/25/02

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens/  
**MR. GEORGE ZAHNER**

Ladies and Gentlemen:

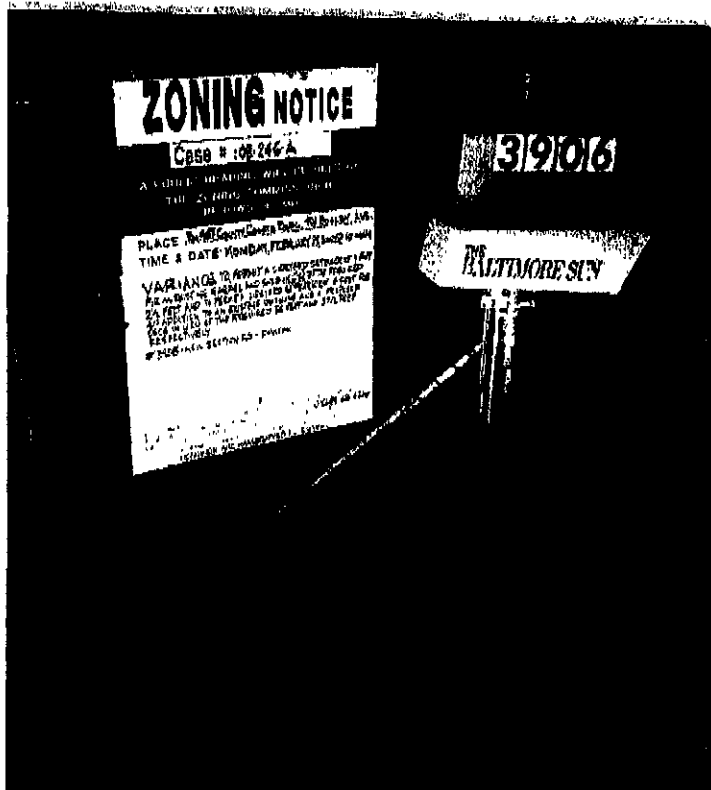
It* Fax Note 7671		Date	# of pages
To	<u>ROBIN/BETTY</u>	From	<u>O'KEEFE</u>
Co. Dept.	<u>ZONING COMM.</u>	Co.	
Phone #	<u>887-4386</u>	Phone #	<u>666-5366</u>
Fax #	<u>887-3468</u>	Fax #	<u>666-0929</u>

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #3906 - NEW SECTION RD.

The sign(s) were posted on

2/9/02

(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 2/10/02  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE  
(Printed Name)

523 PENNY LANE  
(Address)

HUNT VALLEY, MD. 21030  
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571  
(Telephone Number)

# CERTIFICATE OF POSTING

RE. Case No. 02-246-A

Petitioner/Developer: DAVISON, ETAL  
% PAUL LEE

Date of Hearing/Closing: 2/25/02

Baltimore County Department of  
 Permits and Development Management  
 County Office Building, Room 111  
 111 West Chesapeake Avenue  
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens GEORGE ZAHNER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
 were posted conspicuously on the property located at # 3906 - NEW SECTION RD.

The sign(s) were posted on

2/10/02  
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/12/02  
 (Signature of Sign Poster and Date)

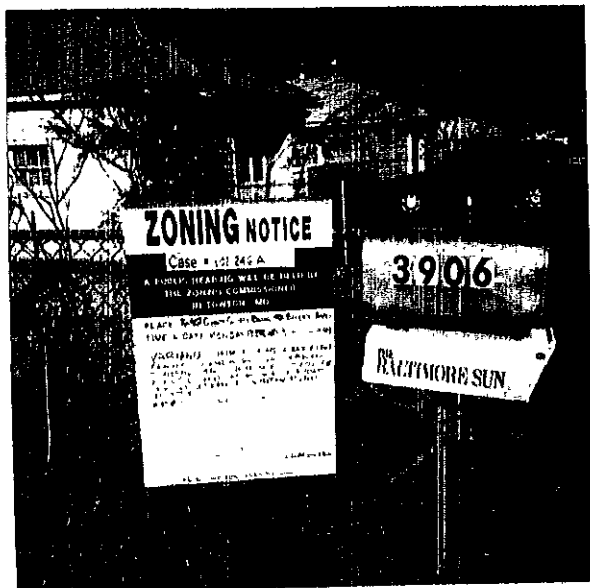
PATRICK M. O'KEEFE  
 (Printed Name)

523 PENNY LANE  
 (Address)

HUNT VALLEY, MD. 21030  
 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571  
 (Telephone Number)

Post-It® Fax Note	Date	7671	# of pages
	From		
	To		
	Co./Dept		
	Phone #		
	Fax #		



# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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#### For Newspaper Advertising:

Item Number or Case Number: # 246

Petitioner: JAMES SCOTT DAVISON

Address or Location: 3906 NEW SECTION RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES SCOTT DAVISON

Address: 108 BEECH HILL LANE  
DAVISON, MD 21286

Telephone Number: 410-492-4013

TO: PATUXENT PUBLISHING COMPANY  
Thursday, February 7, 2002 Issue – Jeffersonian

Please forward billing to:  
James S Davison  
108 Beech Hill Lane  
Towson MD 21286

410 492-4013

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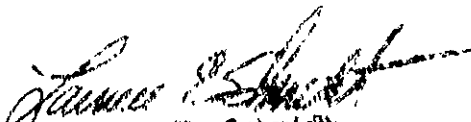
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-246-A  
3906 New Section Road  
N/S New Section Road, @ the distance of 1,280' +/- NE centerline Seneca Road  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner James Scott Davison

Variance to permit a side yard setback of 1 foot for an existing garage and shed in lieu of the required 2 ½ and to permit a side yard setback of 4 feet for an addition to an existing dwelling and a proposed deck in lieu of the required 50 feet and 37 ½ feet respectively.

HEARING: Monday, February 25, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 602  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

January 28, 2002

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-246-A

3906 New Section Road

N/S New Section Road, @ the distance of 1,280' +/- NE centerline Seneca Road

15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner James Scott Davison

Variance to permit a side yard setback of 1 foot for an existing garage and shed in lieu of the required 2 ½ and to permit a side yard setback of 4 feet for an addition to an existing dwelling and a proposed deck in lieu of the required 50 feet and 37 ½ feet respectively.

HEARING: Monday, February 25, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon 672  
Director

C: Paul Lee, Century Engineering Inc, 32 West Road, Towson 21204  
James S Davison, 108 Beech Hill Lane, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SUNDAY, FEBRUARY 10, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

February 22, 2002

James Scott Davison  
108 Beech Hill Lane  
Towson MD 21204

Dear Mr. Davison:

RE: Case Number: 02-246-A, 3906 New Section Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 11, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

*W. Carl Richards, Jr.*

W. Carl Richards, Jr. GDT  
Supervisor, Zoning

Review

WCR:

Enclosures

c: Paul Lee, Century Engineering Inc, 32 West Road, Towson 21204  
People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



hsp  
2/26

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development  
Management

**DATE:** February 21, 2002

**FROM:** Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

FEB 27 2002

**SUBJECT:** Zoning Advisory Committee Meeting  
for January 22, 2002  
Item No. 246

The Bureau of Development Plans Review has reviewed the subject zoning item.

The flood protection elevation for this site is 11.2 feet.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with the requirements of the BOCA International Building Code adopted by the County.

RWB:HJO:cab

cc: File

*ZAC-1-22-2002-ITEM NO 246-02212002*





Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

January 23, 2002

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 14 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

078, 241, 242, 243, 244, 245, (246), 247, 248, 249, 250, 252,  
253, 254, 256, 257, 258, 259, 260, and 262

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd G. Taylor <sup>4</sup>

DATE: February 12, 2002

SUBJECT: Zoning Item 246  
Address 3906 New Senior Road

Zoning Advisory Committee Meeting of January 14, 2002

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

\_\_\_\_\_ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X\_\_\_\_\_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X\_\_\_\_\_ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

\_\_\_\_\_ Additional Comments:

Reviewer: Keith Kelly

Date: January 22, 2002

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** January 29, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-245 & 02-246

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 1.18.02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 246

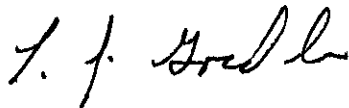
JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

  
for Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE  
3906 New Section Road, N/S New Section Rd,  
1280' +/- NE of c/l Seneca Rd  
15th Election District, 5th Councilmanic

Legal Owner: James Scott Davison  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-246-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



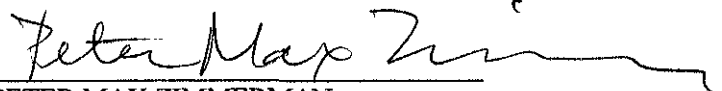
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Paul Lee, 522 Holden Road, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PAUL LEE

32 WEST ROAD 21204

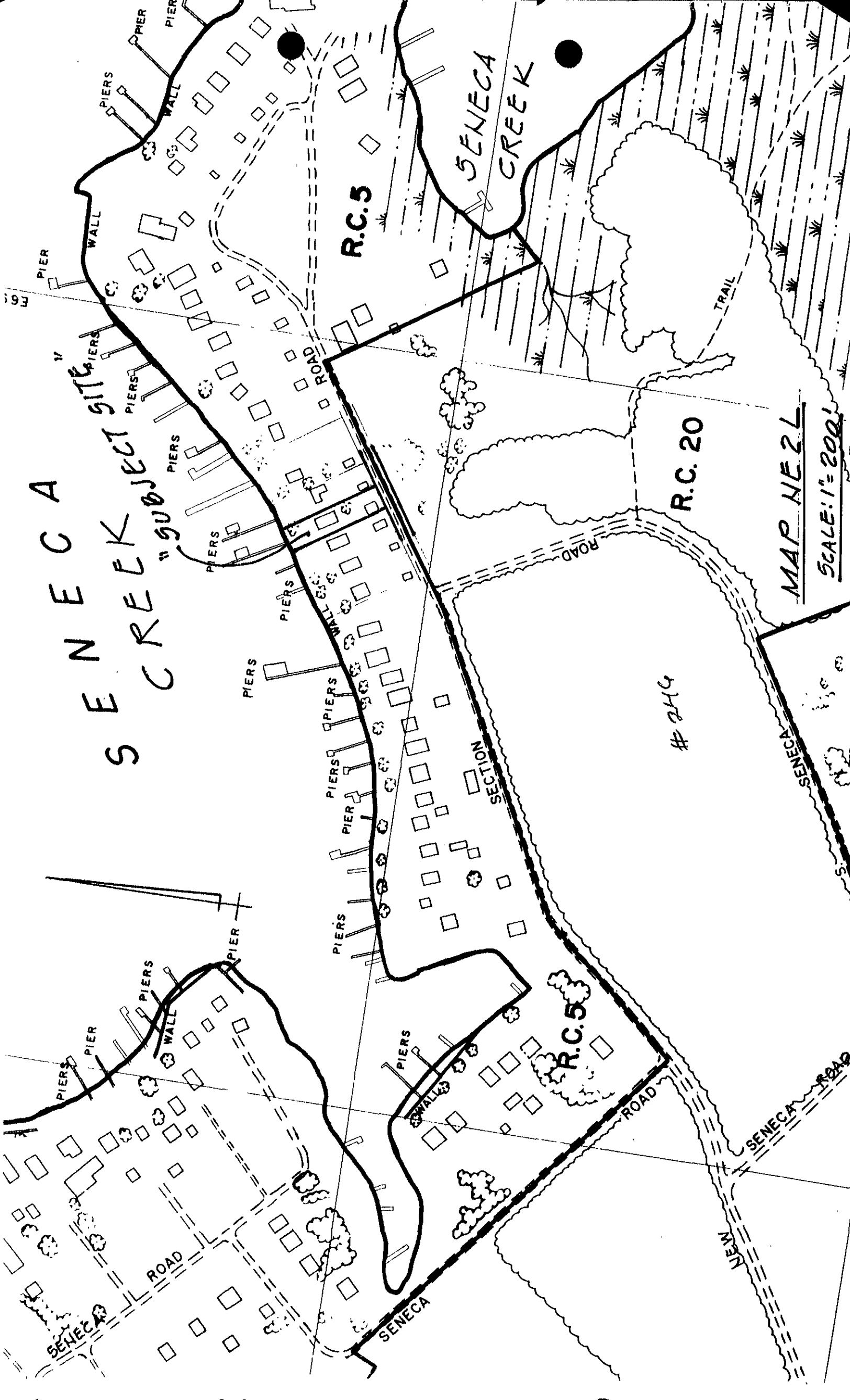
JAMES S. DAVISON

108 BEACH HILL LA. 21286

LAURA G. DAVISON

108 BEECH HILL LN. 21286







# PROPERTY OWNERS

3902 NEW SECTION ROAD  
DAVID S. BETTYA, MOX  
8535-439

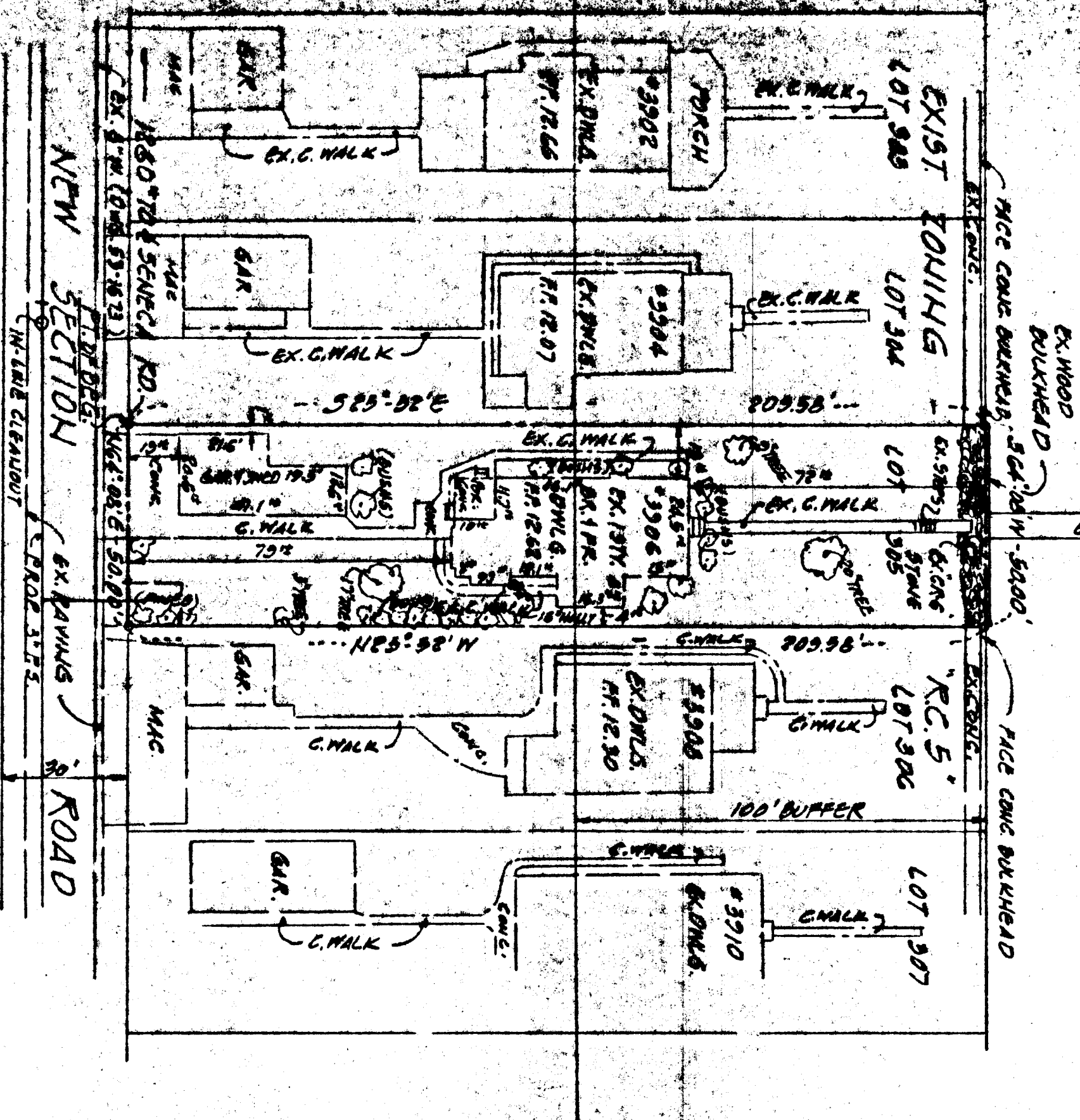
SENECA

3904 NEW SECTION ROAD  
ROBT. G. GILMAN & JANCY A. RILEY  
10181-512

CREEK

3908 NEW SECTION ROAD  
SHIRLEY R. WINTER  
8485-420

3910 NEW SECTION ROAD  
KENNETH W. & LOIS R. MATRINS  
8763-31



EXIST. ZONING - "RC.5"  
EXIST. USE: "VACANT"

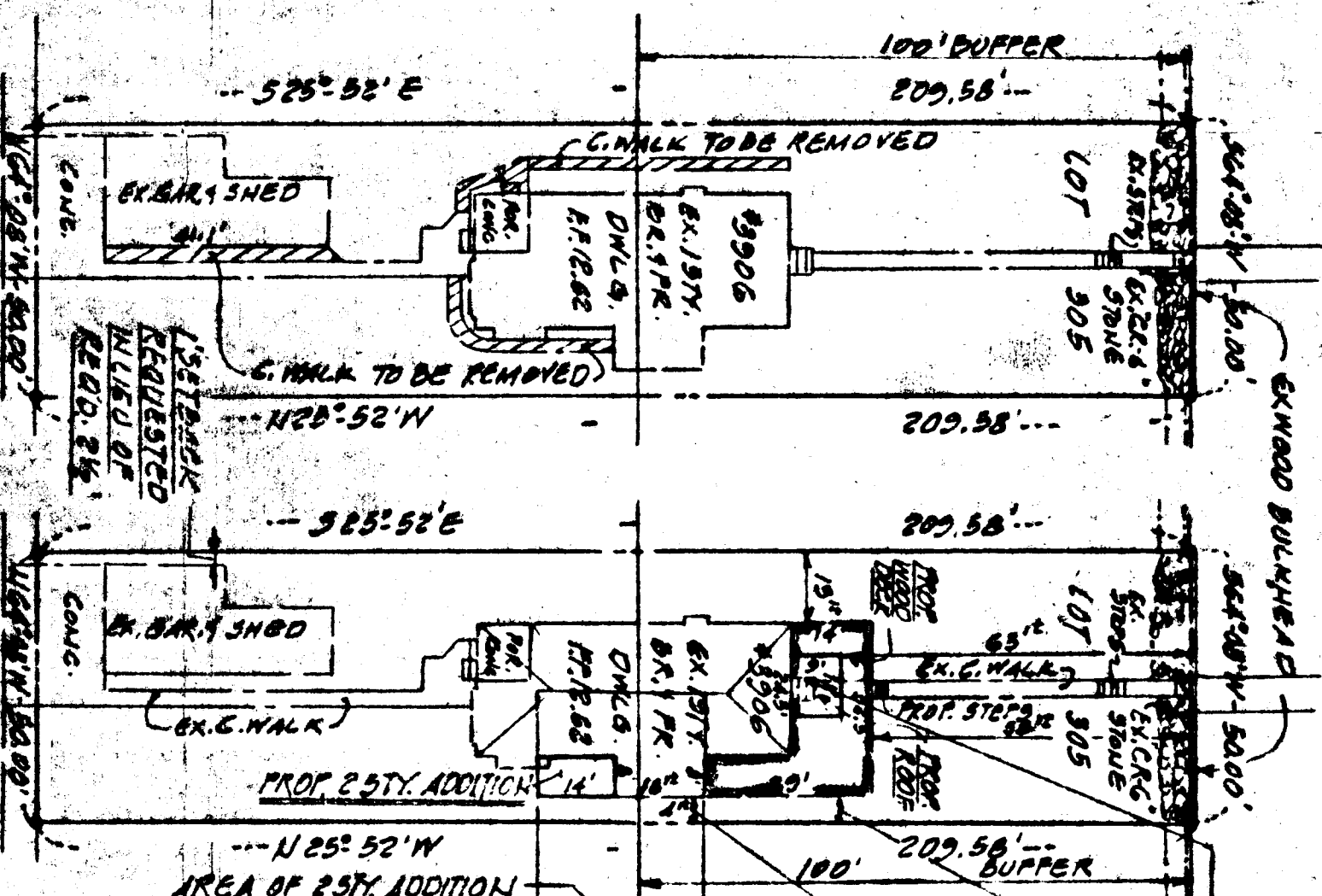
SECOND ADDITION TO PLATING

POWER'S QUARTERS

RD. 10 ROAD 64

PLAN SCALE: 1"=30'

SENECA CREEK



EX. PAVING TO  
BE REMOVED

PROF. 2.5%  
ADDITION (211.5%)

IMPERVIOUS AREA DATA	
AREA OF LOT - 10473.35	
PERMITTED WATER AREA 31 1/2% - 3274.63	
AREA EXIST. " " - 3471.85	
AREA NEW " " - 811.00	
TOTAL " " - 3682.85	
PERMITTED " " - 3774.63	
EXCESS " " - 408.16	
REMOVED " " - 488.00	

PROF. 2.5%  
ADDITION (211.5%)

PROF. 2.5%  
ADDITION (211.5%)

## GENERAL NOTES:

1. AREA OF PROPERTY = 10,473.35 S.F. ± (0.241 AC. ±)
2. EXISTING ZONING OF PROPERTY = "RC.5"
3. PROPOSED ZONING OF PROPERTY = "RC.5"
4. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. PROPERTY LOCATED IN CHESTERMAN BAY CRITICAL AREA AND IS DESIGNATED "L.D."
7. PROPERTY IS RECORDED AS LOT 306, "SECOND ADDITION TO PLAT #2, 8041.5 QUARTERS" FILED FOR RECORD 1-25-20. PLAT BOOK 10 ROLL #4.
8. PROPERTY NO. 44-22-30700, SHEET 1428-178 (RECORDED PARCEL)
9. PERMITTED IMPERVIOUS AREA = 31% OF LOT AREA = 3247.84 S.F.
10. EXISTING IMPERVIOUS AREA = 3471.85 S.F.
11. EXISTING 1 STY DWELLING 1434.8 S.F.
12. EXISTING PORCH 300.70
13. EXISTING GARAGE 300.70
14. EXISTING CONC. WALKS 1237.70
15. EXISTING PAVING 1237.70
16. PROPOSED ADDITIONAL IMPERVIOUS AREA = 211.5%
17. PROPOSED ADDITION 207.1
18. ROOF OVER ENTRANCE 112.8
19. TOTAL IMPERVIOUS AREA TO BE REMOVED 3682.85 - 3774.63 = 90.00 S.F.
20. EXISTING SUBSTANCES TO BE REMOVED 90.00 S.F.
21. PETITIONER REQUESTING A VARIANCE TO SECT. 401.1 OF THE RCZ TO PERMIT A SIDE YARD SETBACK OF 7' FOR EXISTING GARAGE AND SHED IN LIEU OF REQUIRED 2X.
22. PETITIONER REQUESTING A VARIANCE TO SECT. 404.3.2 & 404.3.3 OF THE RCZ TO PERMIT A SIDE YARD SETBACK OF 4' FOR AN ADDITION TO AN EXISTING DWELLING AND A PROPOSED DECK IN LIEU OF THE REQUIRED 8' & 37 1/2' RESPECTIVELY.
23. PROPERTY IS SERVED BY PUBLIC WATER & SEPTIC SYSTEM. PROPERTY IS LOCATED IN THE CHESTNUT - DOCK HARBOR COLLECTION SYSTEM & SEWER SYSTEM HAS BEEN DESIGNED FOR CONSTRUCTION IN 2022.
24. PROPERTY IS LOCATED IN BALTIMORE COUNTY PD SCALE ZONING MAP AREA.
25. EXISTING DWELLING WAS BUILT IN 1928.
26. PROPERTY LOCATED IN FLOOD ZONE A-B-E-V-10, F.N. R. ELEV. EX. DNAL 9.22 E.

PLAT TO ACCOMPANY PETITION

FOR

VARIANCES

3906 NEW SECTION ROAD

ELECT. DIST. 15CS BALTIMORE CA, MD

SCALE: 1"=30' NOV 29, 2001

ENGINEER

CENTURY ENGINEERING, INC.



31 WEST ROAD  
TOWSON, MARYLAND 21204  
(410) 253-0070

21.05.00



